



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

CIBA SPECIALTY CHEMICALS COMPANY
Patent Department
540 White Plains Road
P.O. Box 2005
Tarrytown, NY 10591-9005

30 MAY 2006

In re Application of:
VAN DER SCHAAF, et al
U.S. Application No.: 10/576,784
PCT No.: PCT/EP2004/052449
International Filing Date: 06 October 2004
Priority Date: 16 October 2003
Atty Docket No.: LS/95-22963/A/PCT
For: CRYSTALLINE FORM OF
FLUVASTATIN SODIUM

DECISION ON PETITION

The petition for revival under 37 CFR 1.137(b) filed 21 April 2006 in the above-captioned application is hereby **GRANTED** as follows:

Applicants' statement that "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional" satisfies the requirements of 37 CFR 1.137(b)(3).

Applicants have submitted the basic national fee, and the requirements of 37 CFR 1.137(b) have been satisfied. Therefore, the request to revive the application is granted as to the national stage in the United States of America.

It is noted that the petition was accompanied by an executed declaration in compliance with 37 CFR 1.497. Deposit Account No. 03-1935 will be charged the \$130 surcharge for filing the declaration later than thirty months after the priority date.

This application is being referred to the National Stage Processing Division of the Office of PCT Operations for further processing in accordance with this decision. The date under 35 U.S.C. 371(c)(1), (c)(2), and (c)(4) is 21 April 2006.

Richard M. Ross
Attorney Advisor
Office of PCT Legal Administration
Telephone: (571) 272-3296
Facsimile: (571) 273-0459